



**MINUTES OF THE PUBLIC HEARING OF  
MONDAY, MAY 18, 2015  
AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING A SPECIAL USE PERMIT REQUEST  
TO OPERATE A JOEY B'S RESTAURANT  
AT 14445 MANCHESTER ROAD**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Wise for Attorney Gunn who was absent. A quorum was present.

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, May 18, 2015 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

**CASE #15-SUP-007** – A request for a Special Use Permit has been made by Michael Mueller of Civil Engineering Design Consultants, Inc., on behalf of Joey B's Restaurant, to operate a restaurant with cocktail lounge selling liquor by the drink for consumption on the premises at 14445 Manchester Road. The property is zoned C-1 Commercial District.”

Mayor Willson advised that first the proponents would speak, then the opponents, and comments from the public, followed by questions from the members of the Board of Aldermen or the City staff, and then a recommendation from the Planning and Zoning Commission.

Mr. Michael Mueller of Civil Engineering Design Consultants, Inc. represented the Joey B's restaurant. Mr. Mueller said the location is a 55,000 square foot existing restaurant building which will remain, but they will be renovating inside and out; they will be adding a 3,600 square foot outdoor patio with fireplaces, private booths, and an outdoor bar/lounge. He said that one of the entrances on Manchester Road will be removed by the Missouri Department of Transportation (MODOT); the other entrance on Manchester will become a “right-in, right-out”, because of the island median that MODOT is making the Culver's restaurant put in. Mr. Mueller stated that they will be redoing the parking lot in front; they will be adjusting the grading for the drains to assure the ponding water flows. On the back and sides, the lot will remain, but it will be resurfaced.

Mr. Mueller stated that on the exterior of the building, they will be sandblasting the brick, removing the paint to expose the original brick. The restaurant will be open Monday through Saturday from 11:00 a.m. to 1:30 a.m., and on Sunday 11:00 a.m. to midnight.

There were no opponents.

Alderman Diehl asked how many Joey B's restaurants there are.

Mr. Mueller answered this will be the fourth Joey B's, but Joey and Bill have a total of 10 restaurants in their chain, currently most of those restaurants are in South County and the eastern part of the City.

Alderman Ottenad commented that her family and she enjoy the restaurant on "The Hill", so they are looking forward to this one.

Alderman Clement stated he asked the question at the Planning and Zoning Commission meeting, but wanted to make sure everyone heard that there will be roughly 100 jobs available with many being new hires, and that is good for the community. He asked Mr. Mueller if the Emergency Legislation is approved tonight what the timeline is expected to be.

Mr. Mueller answered that the long lead time is with Metropolitan Sewer District, but they have already submitted plans to them after the approval at the Planning and Zoning Commission meeting. He hopes to start remodeling work as soon as they get their plans turned in to the City and get approval. They have a target of June construction, and they will hopefully be ready to open after four months of construction.

Alderman Stevens asked if there was consideration to salvage some of the items from the old bank.

Mr. Mueller answered he has no idea.

Alderman Clement advised that the Planning and Zoning Commission unanimously recommended this Permit.

Attorney Wice reviewed the conditions to the SUP as follows:

1. Holder's strict compliance with all applicable Federal, State and City of Manchester statutes and ordinances.
2. The western entrance to the Property from Manchester Road shall be eliminated.
3. The eastern entrance to the Property from Manchester Road shall be limited to right turns in and out.
4. Variances shall be approved by the City's Board of Adjustment relating to the monument sign proposed on the Property.
5. There shall be no planting of ash trees on the Property.

6. Holder permitting access to the Property by the City of Manchester at all times requested so as to confirm compliance under Paragraphs 1, 2, 3, 4, and 5 of Section Five of this Ordinance.

Mr. Mueller said he was aware of the conditions, and they will abide by all the conditions.

Mayor Willson closed the public hearing at 7:09 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S  
City Clerk

***Note:** This is a journal of the Public Hearing held May 18, 2015 regarding the Special Use Permit Request to operate a Joey B's Restaurant at 14445 Manchester Road, (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*





**MINUTES OF THE PUBLIC HEARING OF  
MONDAY, MAY 18, 2015  
AT 200 HIGHLANDS BOULEVARD DRIVE  
REGARDING AN AMENDMENT TO THE CODE  
MODIFYING DEFINITIONS AND GENERAL PROVISIONS**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:09 p.m.

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Wice for Attorney Gunn who was absent. A quorum was present.

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, May 18, 2015 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

**CASE #15-TXT-003** – Text amendments are proposed to Sections 405.060 & Article IV of the City’s Zoning Code to modify the Definitions and the General Provisions.”

Mayor Willson advised that first the proponents would speak, then the opponents, and comments from the public, followed by questions from the members of the Board of Aldermen or the City staff.

City Administrator Hixson spoke as a proponent, by stating that this involves the modification and addition of the Sight Distance Triangle (SDT) and language in the General Provisions section regarding what is prohibited within the SDT. The Sight Distance Triangle is an area at all intersections where Department Staff is recommending that nothing should be placed there that is over three (3) feet in height. By adding this restriction, this allows drivers to have a clear view of oncoming vehicular and non-vehicular traffic.

Alderman Ottenad asked if there was a problem that brought this up.

City Administrator Hixson answered there were some minor problems recently.

There were no opponents or comments from the public.

Alderman Clement advised that the Planning and Zoning Commission unanimously recommended this Permit.

Mayor Willson closed the public hearing at 7:12 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S  
City Clerk

***Note:** This is a journal of the Public Hearing held May 18, 2015 regarding an amendment to the Code modifying definitions and general provisions, (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING  
OF MONDAY, MAY 18, 2015  
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:12 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Wice for Attorney Gunn who was absent. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the May 4, 2015 Regular Board of Aldermen meeting – Session One

Alderman Hamill made the motion to approve the Minutes of the May 4, 2015 Regular Board of Alderman Meeting – Session One. The motion was seconded by Alderman Clement and carried unanimously, without objection.

b. Minutes of the May 4, 2015 Public Hearing regarding a Special Use Permit Request for a massage therapy business at 201 Enchanted Parkway

Alderman Clement made the motion to approve the Minutes of the May 4, 2015 Public Hearing regarding a Special Use Permit Request for a massage therapy business at 201 Enchanted Parkway. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

c. Minutes of the May 4, 2015 Public Hearing regarding a Special Use Permit Request to warehouse inventory at 14290 Manchester Road

Alderman Hamill made the motion to approve the minutes of the May 4, 2015 Public Hearing regarding a Special Use Permit Request to warehouse inventory at 14290 Manchester Road. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

d. Minutes of the May 4, 2015 Regular Board of Alderman meeting – Session Two

Alderman Clement made the motion to approve the Minutes of the May 4, 2015 Regular Board of Alderman Meeting – Session Two. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Ottenad stated that she would like to postpone action on Bill # 15-2221 because she has talked to a number of people and staff is not sure they could enforce the Bill, so there is more work that needs to be done.

Alderman Clement made the motion to approve the Order of Items on the Agenda as amended. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Comments from the Public

Mr. Jerome Meyer, 620 Applecross Court stated he gave the members of the Board of Aldermen a handout from a Court Order that he saw that went to the judges in the municipalities to change the structure of how fines are going to be assessed for different violations. His question is if this is something that should come to the Board to change our fines. He said he also wonders about the dog leash law.

City Administrator Hixson stated that since the State handed down these laws by Court Order, the City must enforce it.

Attorney Wice stated that the cities are subject to the Supreme Court and Legislature, but she does believe it needs some investigation. She will be taking it back to City Attorney Patrick Gunn.

Mayor Willson stated that in a staff meeting Court Administrator Colleen Massey discussed how it will affect the Manchester Courts. He said it is not ready to go just yet; there are a lot of things that still need to be changed. He added that some of Manchester fees are lower than the amounts being suggested.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Willson reported that on May 5, he gave a Proclamation for Dr. Fenner who is retiring from Parkway South Middle School, it was a nice surprise for him; on the evening of May 5, Alderman Baumann and he attended the trustees' meeting in Royal Village, and they discussed street issues; on May 7 was the National Day of Prayer with about 80 people participating; on May 11, he attended the Lafayette Older Adults barbecue at Blue Bird Park; on May 13, he attended the Homecoming meeting; and on May 14, the Mayor attended the staff meeting.



Alderman Clement stated that on May 23 for the renaming of John Morgan Drive, there would be 650 American flags and the City could use some help in putting them up; it will take quite a bit of time, starting at 9:30 a.m. Saturday.

Mayor Willson commented that all four Parkway High Schools have been named in the list of the top 25 schools in Missouri, according to the St. Louis Post Dispatch.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. Letter received regarding CERT classes and Citizen Corps classes

City Administrator Hixson stated that a woman and her sister took our CERT class, and since then, being a waitress, she has saved the lives of two people with the Heimlich maneuver that she learned at the CERT class. He just wanted to compliment Chief Walsh and Sergeant Ebert on the good job teaching the CERT and Citizens Corps classes.

b. List of Paid Bills (Warrant dates of May 2 – May 15, 2015)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement advised that the Planning and Zoning Commission did not meet last week, and they will not be meeting next Monday, so there is no report.

b. Homecoming Committee

Alderman Ottenad advised that the Homecoming Committee met on May 13, they have decided they are going to try arts and crafts again this year. They came up with a theme “Safari Jungle”. She said currently they have 11 or 12 booths signed up for Homecoming. The next meeting is June 10.

c. Manchester Arts

Alderman Stevens stated there is a Band concert on June 14, and the talent that this volunteer band brings to the community is striking. She is asking people to come out and support their volunteer efforts.

Alderman Stevens stated the Manchester Arts is in a planning stage and they are planning a fall festival, an art experience with Lafayette Employees with cooperation with the Rotary, and they are assisting some art teams who will help and assist in development with these events.

9. ACTION ON OLD BILLS

a. BILL # 15-2219 - AN ORDINANCE APPROVING A SPECIAL USE PERMIT REQUEST TO OPERATE A MASSAGE THERAPY BUSINESS AT 201 ENCHANTED PARKWAY

Alderman Clement read for the second time Bill # 15-2219, entitled: "AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO DUANE MARQUART, d/b/a SERENITY MASSAGE, TO OPERATE A MASSAGE THERAPIST FACILITY AT 201 ENCHANTED PARKWAY, AS PROVIDED FOR IN SECTION 405.240(C)(5)(h) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER", by title only.

Alderman Clement made the motion that Bill # 15-2219 become Ordinance # 15-2105. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

Alderman Stevens – aye  
Alderman Hamill – aye  
Alderman Diehl – aye  
Alderman Baumann – aye  
Alderman Ottenad - aye  
Alderman Clement – aye

Mayor Willson announced that the motion passed 6 - 0, with no objections.

- b. BILL # 15-2220 - AN ORDINANCE APPROVING A SPECIAL USE PERMIT REQUEST TO WAREHOUSE INVENTORY AT 14290 MANCHESTER ROAD

Alderman Hamill read for the second time Bill # 15-2220, entitled: "AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO WOHLFAHRT HOLDING, LLC, d/b/a THE GATHERING GROUND, TO OPERATE A BUSINESS ENGAGED IN WAREHOUSING OF GOODS, MATERIALS AND MERCHANDISE AT 14290 MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.240(C)(25) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER", by title only.

Alderman Hamill made the motion that Bill # 15-2220 become Ordinance # 15-2106. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Hamill – aye  
Alderman Diehl – aye  
Alderman Baumann – aye  
Alderman Ottenad - aye  
Alderman Clement – aye  
Alderman Stevens – aye

Mayor Willson announced that the motion passed 6 - 0, with no objections.

- c. BILL # 15-2221 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES RELATING TO NUISANCES

Alderman Ottenad has postponed this Bill.

10. INTRODUCTION OF NEW BILLS

a. RESOLUTION AUTHORIZING PARTICIPATION IN THE MULTI-JURISDICTIONAL DRUG TASK FORCE

Alderman Clement read proposed Resolution # 15-0525, entitled: "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH ST. LOUIS COUNTY, MISSOURI, TO PROVIDE FOR THE CITY'S PARTICIPATION IN THE MULTI-JURISDICTIONAL DRUG TASK FORCE FOR THE YEAR BEGINNING SEPTEMBER 1, 2015 AND ENDING AUGUST 31, 2016", by title only.

Alderman Clement made the motion for approval of Resolution # 15-0525. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

b. RESOLUTION ACCEPTING THE SERVICES OF GUARDIAN INSURANCE COMPANY FOR EMPLOYEE DENTAL INSURANCE AND LONG-TERM DISABILITY COVERAGE FOR EMPLOYEES

Alderman Hamill read proposed Resolution # 15-0526, entitled: "A RESOLUTION ACCEPTING SERVICES OF THE GUARDIAN LIFE INSURANCE COMPANY FOR DENTAL INSURANCE COVERAGE AND LONG-TERM DISABILITY COVERAGE FOR THE EMPLOYEES OF THE CITY OF MANCHESTER FOR THE PERIOD OF JUNE 1, 2015 THROUGH MAY 31, 2016", by title only.

Alderman Hamill asked what rate increase the City received.

City Administrator Hixson answered that for the dental insurance the City received a four percent increase, and for the long term disability, the same rate was maintained.

Alderman Ottenad asked what percent was allotted in the 2015 budget for dental insurance.

City Administrator Hixson answered that the City had budgeted a 10 percent increase.

Alderman Hamill made the motion for approval of Resolution # 15-0526. The motion was seconded by Alderman Clement and carried unanimously, without objection.

c. BILL APPROVING A SPECIAL USE PERMIT FOR THE OPERATION OF JOEY B'S RESTAURANT AT 14445 MANCHESTER ROAD

Alderman Diehl introduced Bill # 15-2222, entitled: "AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO JOEY B'S 4, INC. TO OPERATE A RESTAURANT WITH COCKTAIL LOUNGE SELLING LIQUOR BY THE DRINK FOR CONSUMPTION ON THE PREMISES AT 14445 MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.240(C)(16) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER", by title only.

There were no questions.

Alderman Baumann made the motion for emergency legislation. The motion was seconded by Alderman Hamill and carried unanimously.

Alderman Diehl read for the second time Bill # 15-2222, entitled: “AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO JOEY B’S 4, INC. TO OPERATE A RESTAURANT WITH COCKTAIL LOUNGE SELLING LIQUOR BY THE DRINK FOR CONSUMPTION ON THE PREMISES AT 14445 MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.240(C)(16) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER”, by title only.

Alderman Diehl made the motion that Bill # 15-2222 become Ordinance # 15-2107. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Diehl – aye  
Alderman Baumann – aye  
Alderman Ottenad - aye  
Alderman Clement – aye  
Alderman Stevens – aye  
Alderman Hamill – aye

Mayor Willson announced the Bill passed 6 – 0.

- d. BILL AMENDING THE CODE OF ORDINANCES BY AMENDING THE TERM DEFINITION OF “FAMILY”

Alderman Stevens introduced Bill # 15-2223, entitled: “AN ORDINANCE AMENDING SECTION 405.060 OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER BY AMENDING THE DEFINITION OF THE TERM “FAMILY” AS USED IN THE CITY’S ZONING REGULATIONS”, by title only.

Alderman Ottenad asked what is different than what we currently have.

City Administrator Hixson stated the City took the wording “retard” out. It was in there four times and removed four times.

No further action at this time.

- e. BILL AMENDING THE CODE OF ORDINANCES RELATING TO SIGHT DISTANCE

Alderman Baumann introduced Bill # 15-2224, entitled: “AN ORDINANCE AMENDING SECTION 405.060 AND ADDING A NEW SECTION 405.166 TO THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER REGULATING SIGHT DISTANCE TRIANGLES IN THE CITY OF MANCHESTER”, by title only.

No further action at this time.

11. MISCELLANEOUS

a. Comments from the Public

There were none.

Mayor Willson reminded everyone that the Manchester Police Department will be at Tucker's Place West Restaurant next Thursday night, May 21, for the Special Olympics from 5:00 to 9:00 p.m. raising money.

12. ADJOURNMENT

At 7:41 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Hamill and carried unanimously, without objection. The meeting adjourned at 7:41 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S  
City Clerk

***Note:** This is a journal of the Board of Aldermen meeting held May 18, 2015 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*